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# State of Delaware Child Protection Accountability Commission (CPAC)



## **CPAC'S MISSION:**

To monitor Delaware's child protection system to ensure the health, safety, and well-being of Delaware's abused, neglected, and dependent children.

## **FISCAL YEAR 2018 CPAC ANNUAL REPORT**

*July 1, 2017 - June 30, 2018*

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**The Honorable John Carney, Governor**  
State of Delaware

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**Ginger L. Ward, Chair**  
Child Protection Accountability Commission

**State of Delaware**  
**Child Protection Accountability Commission**  
c/o Office of the Child Advocate  
900 King Street, Suite 350  
Wilmington, Delaware 19801  
(302) 255-1730  
(302) 577-6831 (fax)

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<http://courts.delaware.gov/childadvocate>

# Our Membership – FY18

<p><b>Secretary of the Department of Services for Children, Youth, and their Families</b>  <i>16 Del. C. §931(a)(1)</i>  <b>The Honorable Josette Manning</b>, Cabinet Secretary</p>	<p><b>Director of the Division of Family Services</b>  <i>16 Del. C. §931(a)(2)</i>  <b>Trenee Parker</b>, Director</p>
<p><b>Two Representatives from the Attorney General's Office</b>  <i>16 Del. C. §931(a)(3)</i>  <b>Abigail Layton</b>, Esq., Deputy Attorney General, Director, Family Division  <b>James Kriner</b>, Esq., Deputy Attorney General, Director, Special Victims Unit</p>	<p><b>Two Members of the Family Court</b>  <i>16 Del. C. §931(a)(4)</i>  <b>The Honorable Michael K. Newell</b>, Chief Judge  <b>The Honorable Joelle Hitch</b>, Judge</p>
<p><b>One Member of the House of Representatives</b>  <i>16 Del. C. §931(a)(5)</i>  <b>The Honorable Melanie George Smith</b>, State Representative  <b>The Honorable Valerie Longhurst</b>, State Representative</p>	<p><b>One Member of the Senate</b>  <i>16 Del. C. §931(a)(6)</i>  <b>Senator Margaret Rose Henry</b></p>
<p><b>Secretary of the Department of Education</b>  <i>16 Del. C. §931(a)(7)</i>  <b>Susan Haberstroh</b>, Director, Policy and External Affairs</p>	<p><b>Director of the Division of Prevention and Behavioral Health Services</b>  <i>16 Del. C. §931(a)(8)</i>  <b>Susan Cycyk</b>, M.Ed., Director  <b>Robert Dunleavy</b>, LCSW, Director</p>
<p><b>Chair of the Domestic Violence Coordinating Council</b>  <i>16 Del. C. §931(a)(9)</i>  <b>Maureen Monagle</b>, Executive Director</p>	<p><b>Superintendent of the Delaware State Police</b>  <i>16 Del. C. §931(a)(10)</i>  <b>Colonel Nathaniel McQueen</b>, Superintendent  <b>Cpl. Adrienne Owen</b>, Designee</p>
<p><b>Chair of the Child Death Review Commission</b>  <i>16 Del. C. §931(a)(11)</i>  <b>Garrett Colmorgen</b>, M.D., Chair</p>	<p><b>Investigation Coordinator</b>  <i>16 Del. C. §931(a)(12)</i>  <b>Jennifer Donahue</b>, Esquire</p>
<p><b>Young Adult</b>  <i>16 Del. C. §931(a)(13)</i>  <b>Nicole Magnusson</b></p>	<p><b>One Representative from Office of Defense Services</b>  <i>16 Del. C. §931(a)(14)</i>  <b>Kathryn Lunger</b>, Esquire, Statewide Director, Family Court Practice Group</p>
<p><b>At-large Public Member - Medical Community</b>  <i>16 Del. C. §931(a)(15)</i>  <b>Allan De Jong</b>, M.D., Medical Director, Children at Risk, CARE Program, Alfred I. duPont Hospital for Children</p>	<p><b>At-large Public Member - Interagency Committee on Adoption</b>  <i>16 Del. C. §931(a)(15)</i>  <b>Vacant</b></p>
<p><b>At-large Public Member - Law Enforcement</b>  <i>16 Del. C. §931(a)(15)</i>  <b>Major Robert McLucas</b>, New Castle County Police Department</p>	<p><b>At-large Public Member - Child Protection Community</b>  <i>16 Del. C. §931(a)(15)</i>  <b>Ellen Levin</b>, Citizen</p>
<p><b>At-large Public Member - Child Protection Community</b>  <i>16 Del. C. §931(a)(15)</i>  <b>Janice Mink</b>, Citizen</p>	<p><b>At-large Public Member - Child Protection Community</b>  <i>16 Del. C. §931(a)(15)</i>  <b>Randall Williams</b>, Chief Executive Officer, Children's Advocacy Center of Delaware</p>
<p><b>At-large Public Member - Child Protection Community</b>  <i>16 Del. C. §931(a)(15)</i>  <b>Ginger L. Ward</b>, CPAC Chair</p>	

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# Executive Summary

In Fiscal Year 2018, the Child Protection Accountability Commission (CPAC or the Commission) met quarterly to identify system challenges and advocate for system reform, to evaluate and recommend changes in policy, and to make legislative recommendations. Between quarterly Commission meetings, CPAC's various committees and workgroups, supported by CPAC staff, were engaged in substantive work, at the direction of the Commission, in a variety of areas, including: the ongoing review of practices followed by various system partners in their response to reports of abuse and neglect; the development of training in best practices for front line professionals who respond to reports of child abuse and neglect; the improvement of educational outcomes for children in foster care; various legislative initiatives, including crimes against children and Aiden's Law; infants with prenatal substance exposure and their families; mandatory reporting of child abuse; data utilization, and others. CPAC also continued in its service as Delaware's Citizen Review Panel (CRP), Children's Justice Act (CJA) Task Force and as a grant recipient from Casey Family Programs. CPAC and the Child Death Review Commission (CDRC) continued their collaborative statutory affiliation through Fiscal Year 2018, meeting jointly on one occasion during the fiscal year.

CPAC accomplished the following in FY18:

- Trained over 10,100 educators, healthcare providers and members of the public on their statutory, child abuse mandatory reporting obligations through onsite and online training;
- Advocated to the Joint Finance Committee to request assistance for CPAC's 5 Funding Priorities: infants with prenatal substance exposure, Division of Family Services caseload standards, the Children's Advocacy Center, the Department of Justice Special Victims Unit, and Prevent Child Abuse Delaware's personal safety programs for children;
- Provided training on the Memorandum of Understanding for the Multidisciplinary Response to Child Abuse and Neglect;
- Supported the implementation of the Plan of Safe Care Pilot Program in birthing hospitals across the state;
- Conducted retrospective reviews in 51 death and near death cases of abused and neglected children, which resulted in 161 strengths and 263 findings across six system areas;
- Utilizing the Compassionate Schools Model, trained over 3,000 educators on trauma and the impact on learning and behavior in various schools across the state to help schools become more trauma-responsive;
- Awarded scholarships through Children's Justice Act grant funds to 9 multidisciplinary team (MDT) members, who were able to attend national child welfare conferences;
- Facilitated two in-state training sessions to the MDT: the Delaware Multidisciplinary Team Course and CornerHouse On-Site Basic Forensic Interview Training, and the Sex Offenders: Responding to Crimes Against Children Training; and,
- Submitted the CJA Annual Progress Report and Grant Application and Three Year Assessment Report - Approved by the Administration on Children, Youth and Families on July 16, 2018.

CPAC's Fiscal Year 2018 achievements were realized due to the leadership of its Commissioners, Executive Director, staff and Chair, and to the commitment of the many agency representatives and members of the public who participate with the Commission.



# Background & Purpose

Delaware’s Child Protection Accountability Commission was established by an Act of the Delaware General Assembly in 1997 following the death of a 4-year-old boy named Bryan Martin. Bryan’s death demonstrated the need for multidisciplinary collaboration and accountability in Delaware’s child protection system. As a result, Delaware enacted the Child Abuse Prevention Act of 1997 (16 *Del. C.*, Ch. 9), which made significant changes in the way in which Delaware investigates child abuse and neglect. The Child Abuse Prevention Act also established an interdisciplinary forum for dialogue and reform. That forum is CPAC, which endeavors to foster a community of cooperation, accountability and multidisciplinary collaboration. CPAC brings together key child welfare system leaders, who meet regularly with members of the public and others, to identify system shortcomings and the ongoing need for system reform.



## The Statutory Duties of CPAC (16 *Del. C.* §931(b)):

- 1) Examine and evaluate the policies, procedures, and effectiveness of the child protection system and make recommendations for changes therein, focusing specifically on the respective roles in the child protection system of the Division of Family Services, the Division of Prevention and Behavioral Health Services, the Office of the Attorney General, the Family Court, the medical community, and law-enforcement agencies.
- 2) Recommend changes in the policies and procedures for investigating and overseeing the welfare of abused, neglected, and dependent children.
- 3) Advocate for legislation and make legislative recommendations to the Governor and General Assembly.
- 4) Access, develop, and provide quality training to the Division of Family Services, Deputy Attorneys General, Family Court, law-enforcement officers, the medical community, educators, day-care providers, and others on child protection issues.
- 5) Review and make recommendations concerning the well-being of Delaware's abused, neglected, and dependent children including issues relating to foster care, adoption, mental health services, victim services, education, rehabilitation, substance abuse, and independent living.
- 6) Provide the following reports to the Governor:
  - a. An annual summary of the Commission's work and recommendations, including work of the Office of the Child Advocate, with copies thereof sent to the General Assembly.
  - b. A quarterly written report of the Commission's activities and findings, in the form of minutes, made available also to the General Assembly and the public.
- 7) Investigate and review deaths or near deaths of abused or neglected children.
- 8) Coordinate with the Child Death Review Commission to provide statistics and other necessary information to the Child Death Review Commission related to the Commission's investigation and review of deaths of abused or neglected children.
- 9) Meet annually with the Child Death Review Commission to jointly discuss the public recommendations generated from reviews conducted under § 932 of this title. This meeting shall be open to the public.
- 10) Adopt rules or regulations for the administration of its duties or this subchapter, as it deems necessary.

# Federal Mandates & Grants

## Delaware’s Citizen Review Panel and Children’s Justice Act Grant

CPAC is designated as Delaware’s "citizen review panel" as required under the federal Child Abuse Prevention and Treatment Act, 42 U.S.C. § 5106a(c) and Delaware’s "state task force" as required under the federal Children's Justice Act, 42 U.S.C. § 5106c(c).

In Fiscal Year 2005, CPAC was first designated by the Department of Services for Children, Youth and Their Families, in its Child and Family Services Plan – Annual Progress and Services Report (APSR), to serve as Delaware’s citizen review panel (CRP). Every year since, CPAC has been designated as the CRP. Federal law requires CPAC to evaluate the extent to which the State is effectively discharging its child protection responsibilities. CPAC does that in a variety of ways, including evaluating policies and procedures and reviewing child fatalities and near fatalities due to abuse or neglect. For more detail, please see Page 20.



Figure 1. Colleen Woodall (DFS) and Rosalie Morales (OCA) at the 2018 National Citizen Review Panel Conference

In Fiscal Year 2008, CPAC became the CJA State Task Force, and in Fiscal Year 2013, CPAC became the recipient of the CJA Grant with fiscal management and oversight by the Criminal Justice Council. The CJA provides grants to States to improve the investigation, prosecution and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, in a manner that limits additional trauma to the child victim. This also includes the handling of child fatality cases in which child abuse or neglect is

suspected, along with some cases of children with disabilities and serious health problems who also are victims of abuse and neglect. To be eligible for CJA funds, states are required to establish and maintain a multidisciplinary task force (the State Task Force). The State Task Force is responsible for making policy and training recommendations to carry out the objectives of the grant, for conducting a comprehensive evaluation every three years of the state's child welfare system, and for making recommendations for improvement of those systems. For more detail, please see Pages 5 and 19.

## Casey Family Program’s Grant

In January 2016, the Office of the Child Advocate (OCA), on behalf of CPAC, received a Casey Family Programs grant to improve education outcomes for youth in foster care. This grant was transferred from the Family Court to continue efforts that were previously underway in the state. Soon after receiving the grant, CPAC developed a strategic plan that focused on two main goals. First, CPAC targeted strategies and trainings to address the social and emotional needs of “system involved youth.” Second, CPAC focused efforts to improve interagency cooperation and coordination of educational services for all system involved youth. To that end, CPAC has moved at a rapid pace to make significant progress on initiatives and collaborate with systems partners to improve school stability and academic supports for system involved youth, and particularly for children experiencing foster care. For more detail, please see Page 13.

# Delaware's Child Protection System

With CPAC's assistance, Delaware has continued to refine and improve its interdisciplinary approach to the protection of children. The approach, often referred to as the multidisciplinary team (MDT), relies on the collaborative intervention of various system partners. An essential participant in the MDT approach has been the Department of Services for Children, Youth and Their Families (DSCYF or the Children's Department), which is comprised of three service divisions - the Division of Prevention and Behavioral Health Services (DPBHS), the Division of Youth Rehabilitative Services (DYRS), and the Division of Family Services (DFS). Collectively these divisions are responsible for the provision of services to children who have suffered abuse, neglect, abandonment, delinquency, mental illness, or substance abuse.

As the child welfare agency, DFS is responsible for receiving and investigating reports alleging child abuse, neglect, or dependency. In FY18, DFS received 20,528 reports of child abuse, neglect or dependency. DFS screened in 8,646 (42%) of those reports, and substantiated 911 (11%) of the screened in cases, where a perpetrator was identified. These cases are often initiated when a child victim of abuse or neglect is first identified by a professional who interacts routinely with children, including members of the education, medical or law enforcement communities.

Multidisciplinary collaboration is frequently necessary. For reports that may involve a crime against a child, DFS and law enforcement will investigate jointly. As appropriate, cases will be referred to the Children's Advocacy Center of Delaware (CAC), where the MDT often formally convenes to conduct a forensic interview, medical examination or mental health screening of the child victim. Death and near death cases are also referred to CPAC for a retrospective review. In an effort to ensure system wide coordination, all cases involving serious physical injury and death or allegations of sexual abuse are also monitored by Delaware's Investigation Coordinator - a function that CPAC advocated for in the wake of the tragic events brought to light in the Bradley case. As a vital member of the MDT, the Criminal Division of the Department of Justice (DOJ) determines whether there is sufficient evidence to prosecute those responsible for inflicting harm on children. In July of 2013, at the recommendation of a joint committee of CPAC and CDRC, the DOJ established the Child Victims Unit. In 2016, that Unit was expanded to handle all felony level, criminal child abuse cases involving the death or serious physical injury of a child, as well as all sexual abuse cases. It was renamed the Special Victims Unit. The Unit combines expertise from both the Criminal and Family Divisions of the DOJ. The Family Division also provides legal representation to DSCYF in Family Court, and DOJ has designated several attorneys across its Divisions to pursue civil remedies against perpetrators of child abuse, including civil substantiations and licensure proceedings, thereby increasing the chances of protecting children where criminal remedies are either insufficient or unavailable.

Through frequent hearings, Family Court Judges were responsible for monitoring the children in the legal custody of DSCYF during Fiscal Year 2018. As of June 30, 2018, 719 children were in DSCYF custody, a 7% decrease from the prior fiscal year. Approximately, 27% of these children were 4 years of age or younger; 17% were 5 to 8 years of age; 16% were ages 9 to 12; and 41% were 13 to 17 years of age. By county, 56% reside in New Castle County, 24% reside in Kent County, and 20% reside in Sussex County. Throughout the year, Family Court provided judicial oversight and OCA provided legal representation to 1,210 children. Nearly half of these children receiving legal representation were also appointed a Court Appointed Special Advocate to advocate for his or her best interest. A large number of these advocates are volunteers. Children in DSCYF custody also receive extensive care and support from the education, foster care, adoption and medical communities. Thus, Delaware relies on the collective resources of the Family Court, DOJ and OCA, as well as the Children's Department, the service providers, and the community, to provide safety, well-being and permanency for its most vulnerable children.



# Committees

CPAC accomplished many of its FY18 goals through the work of its eight Committees: Abuse Intervention, Caseloads/Workloads, Child Abuse and Neglect Steering, Data Utilization, Education, Legislative, Joint Committee on Substance-Exposed Infants/Medically Fragile Children and Training Committee.

## The Abuse Intervention Committee

**Charge:** To provide measurable oversight of CPAC’s Children’s Justice Act (CJA) grant activities by planning and administering the Three-Year Assessment, monitoring the progress of recommendations identified in the Three-Year Assessment Report and recommending to CPAC future system priorities related to the investigative, administrative and judicial handling of cases of child abuse and neglect.

**Membership:** The Committee was led by Abigail Layton, Esquire, Director of the Family Division at the DOJ. The membership includes representatives from the following agencies: Alfred I. DuPont Hospital for Children, CAC, CDRC, DOJ, DFS, Domestic Violence Coordinating Council (DVCC), and OCA and its Office of the Investigation Coordinator.

During the fiscal year, the Abuse Intervention Committee provided oversight of the activities funded by CPAC through federal CJA grant funds. These activities included: funding the Training Coordinator position; providing ongoing comprehensive training to multidisciplinary team members; offering MDT scholarships; facilitating in-person and web-based training for professionals on the recognition and reporting of child abuse and neglect; making web-based training available to the child welfare community through the online training system, surveys, training software and videography services; and attending the CJA Grantee Meeting and National Citizen Review Panel Conference.

The progress on all of the aforementioned activities was included in the 2018 CJA Annual Progress Report and Grant Application and Three Year Assessment Report, which was submitted to the Administration on Children, Youth and Families on May 31, 2018 and approved on July 16, 2018. The report is available at the following link: [http://courts.delaware.gov/childdadvocate/cpac/cja\\_taskforce.aspx](http://courts.delaware.gov/childdadvocate/cpac/cja_taskforce.aspx).

In addition to the Administration on Children, Youth and Families, the Criminal Justice Council (CJC) provides oversight of CJA grant funds. Since October 1, 2012, the CJC, with assistance from the Administrative Office of the Courts, has supported OCA in the management of the grant. This requires that OCA, on behalf of CPAC, submit quarterly fiscal and progress reports to the CJC, as well as an annual grant application for the specific grant period. As a result of the collaboration that has developed between the federal and state agencies, and with the assistance of its Executive Director and staff, CPAC has improved the manner in which the CJA grant is administered in the State of Delaware.



Figure 2. Delaware Team at the 34th International Symposium on Child Abuse

# Committees

## The Caseloads/Workloads Committee

**Charge:** To evaluate the caseloads and workloads of the DFS treatment workers and provide recommendations for change to CPAC, as appropriate.

**Membership:** The Committee is led by co-chairs, Sue Murray, Deputy Director of the Division of Family Services and Rachael Neff, Director of Special Court Programs at Family Court. The membership includes representatives from the following agencies: DFS, DOJ, DVCC, Family Court, and OCA and its Office of the Investigation Coordinator.

When CPAC was first created, it convened a committee to codify caseload standards for DFS workers, supervisors and licensing specialists at the Office of Child Care Licensing. In 1998, the following caseload standards were enacted by Senate Bill 142: 14 cases per investigation worker plus 10%, 18 cases per treatment worker plus 10%, one supervisor for every five workers and 140 cases per licensing specialist plus 10%. CPAC pushed to further reduce these standards in 2004 when Senate Bill 265 was passed. It removed the “plus 10%” and required caseloads be calculated by regions and fully functioning workers. Despite these changes, CPAC continued to monitor the caseloads through the state’s child death and near death reviews, and in 2006, CPAC agreed to reconvene the Committee to look at caseloads for the entire child protection system. The Committee met for two years and presented its final report to CPAC in April 2008. During that time, legislation was passed lowering the DFS investigation caseload standard from 14 to 11 in July 2007. A separate bill was introduced recommending that the DFS treatment caseload standard be lowered from 18 to 12; however, the bill never made it out of committee due to the fiscal climate.

Over the next several years, CPAC continued to monitor caseloads at its quarterly meetings. Additionally, when state statutory authority to investigate and review deaths or near deaths of abused or neglected children was transferred to CPAC, the Child Abuse and Neglect (CAN) Panel began to track individual cases above the caseload standards for investigation and treatment. As a result, in FY17, CPAC recommended the Caseloads/Workloads Committee be reconvened in response to a recommendation that arose from the Joint CPAC/CDRC Retreat in September 2016. The charge of the Committee was to evaluate caseloads and workloads of the DFS treatment workers and provide recommendations for change to CPAC. Therefore, the Committee entered into a partnership with Delaware State University to accomplish a Caseload/Workload Study. During the fiscal year, a survey tool was created, and treatment workers were asked to complete the survey daily for a period of four weeks. Following an analysis of the data, the Committee plans to submit its final report along with the results of its Caseload/Workload Study in FY19.

## The Child Abuse and Neglect Steering Committee

**Charge:** To supervise the confidential investigation and retrospective review of deaths and near deaths of abused or neglected children pursuant to 16 Del. C. §§ 932-935.

**Membership:** The Committee is led by Garrett Colmorgen, M.D., Chair of the Child Death Review Commission. The membership includes representatives from the following agencies: Alfred I. duPont Hospital for Children, CPAC, CDRC, CAC, Delaware State Police (DSP), DOJ, DSCYF, Family Court and OCA.

CPAC is vested with state statutory authority to investigate and review deaths or near deaths of abused or neglected children. This responsibility was transferred from CDRC to CPAC on September 10, 2015. Then, at its meeting of October 14, 2015, CPAC ratified the Child Abuse and Neglect (CAN) Steering

# Committees

Committee and CAN Panel. In addition, CPAC authorized the CAN Panel to conduct the confidential investigations and retrospective reviews on behalf of CPAC and charged the CAN Steering Committee with providing oversight of these duties. As such, all activities of the CAN Steering Committee and CAN Panel are statutorily confidential. However, the statute allows for the Commission to release system-wide findings or recommendations arising from an investigation and review to the Governor, General Assembly and public. In FY18, the CAN Steering Committee met quarterly to review and approve the work of the CAN Panel. In particular, the Committee approved the retrospective reviews conducted by the CAN Panel between April 2017 and March 2018. During this period, the Panel reviewed 51 cases – 37 initials and 14 finals. For the 37 cases reviewed for the first time, there were 26 near deaths and 11 deaths that occurred between December 2016 and October 2017. The 14 remaining cases had previously been reviewed and were awaiting the completion of prosecution. The result was 161 strengths and 233 findings across six system areas. At each quarterly Commission Meeting, CPAC Commissioners reviewed and approved the strengths and findings arising from the investigation and review of these 51 deaths and near deaths due to abuse or neglect. These reports were then submitted to the Governor, General Assembly and the public, and are available at the following link: [http://courts.delaware.gov/childadvocate/cpac/cpac\\_reports.aspx](http://courts.delaware.gov/childadvocate/cpac/cpac_reports.aspx).

In addition to the review and release of findings related to these cases, CPAC is charged with making system-wide recommendations and meeting with CDRC annually to discuss the work of the CAN Panel. CPAC accomplishes this through a joint retreat. In April 2018, CPAC and CDRC convened its joint retreat to discuss the findings made since the last joint retreat in September 2016. These findings stem from the review of 41 child abuse and neglect death and near death cases for incidents that occurred between May 2016 and July 2017. The result was 267 findings and 194 strengths across system areas. In its new action plan for 2018-2019, CPAC and CDRC established 5 prioritized recommendations for system improvement, along with 7 additional recommendations and 10 ongoing recommendations from the prior annual meeting. On May 23, 2018, CPAC approved the 2018-2019 Action Plan. It was also approved by CDRC on May 11, 2018. The 5 prioritized recommendations are listed on the next page. CPAC was tasked with addressing three of the five recommendations, so only the progress made by the Commission on the three recommendations will be summarized in this report. The other two recommendations are prevention focused and assigned to CDRC. The full action plan with progress updates is available at the following link: [https://courts.delaware.gov/childadvocate/cpac/cpac\\_reports.aspx](https://courts.delaware.gov/childadvocate/cpac/cpac_reports.aspx).



Figure 3. April 2018 CPAC/CDRC Retreat



# Committees

## 2018-2019 Joint Action Plan – Prioritized Recommendations

1. Revive the CPAC CAN Best Practices Workgroup to integrate the following into MOU training, or in the development of protocols to address coordination of medical services and the MDT as follows:
  - a. Develop a protocol or plan to coordinate hospital discharge between DFS, LE and the identified medical coordinator of care for children of any age who present to the hospital and where child abuse or neglect is suspected.
  - b. Develop a protocol or plan for meetings between MDT and medical providers on immediate safety plan during child's hospital admission.
  - c. Develop a protocol or plan to seek medical examinations at the children's hospital for victims, siblings and other children in the home, 6 months or younger, when child abuse or neglect is suspected; or contact the designated medical services provider within 24 hours if the examination occurred elsewhere.
  - d. Develop a protocol or plan to assign a detective to review complaints of child abuse or neglect involving children, 6 months or younger, prior to closing the case.
  - e. Consider other recommendations that were not prioritized as follows:
    - Assist the MDT in receiving all medical records, including preliminary and subsequent medical findings and photographic documentation of injuries, through use of the identified medical coordinator of care in the hospital.
    - Allow in-house forensic nurse examiners to be accessible to the MDT 24 hours a day in the children's hospital and other hospitals in Delaware.
    - Provide a list of direct contact numbers for all forensic nurse examiner teams and identified medical coordinators of care to the MDT.
2. Create an automatic medical referral for evidence-based home visiting services in the standard nursing admission orders for every Delaware birthing hospital when the mother comes into labor and delivery and the newborn is at risk. This referral should have a pre-checked box with the ability to opt out if delineated risk factors are not present. *\*Assigned to CDRC*
3. Advocate to DHSS and the General Assembly for Medicaid reimbursement for all evidence-based home visiting providers in Delaware. *\*Assigned to CDRC*
4. Advocate for increased funding to the DOJ Special Victims Unit, which has statewide jurisdiction of all felony level, criminal child abuse cases including those involving serious physical injury, death or sexual abuse of a child to ensure the same level of victim service and MDT collaboration in all counties.
5. Advocate for compliance with statutory caseload mandates as required by 29 Del. C. § 9015 and continue to work on promising practices and strategies for recruitment and retention of the child welfare workforce.
  - a. Reconvene the CPAC Caseload/Workloads Committee to review treatment caseloads and state standards.
  - b. Consider adjusting DFS caseloads based on complexity of the cases to better utilize staff strengths and balance workload.
  - c. Explore the use of differential response for domestic violence, substance exposed infants, and chronic neglect cases accepted by DFS.
  - d. Include caseloads in its prioritized list of CPAC funding requests to be submitted to the Governor and General Assembly each fiscal year.



# Committees



CPAC has already begun to see progress on many of its recommendations, including the 7 additional recommendations and 10 ongoing recommendations.

## ***1<sup>st</sup> Prioritized Recommendation for CPAC***

The Training Committee's CAN Best Practices Workgroup is preparing to meet again in FY19 to develop a plan on the coordination of medical services and safety planning during a child's hospital admission. The Workgroup will also address the other policy and training recommendations related

to the MDT.

## ***2<sup>nd</sup> Prioritized Recommendation for CPAC***

Additionally, in February 2018, the Executive Director and Chair of the Task Force sent a letter to the Joint Finance Committee of the Delaware General Assembly to express the funding priorities for the Task Force for Fiscal Year 2019. CPAC advocated for increased funding to the DOJ Special Victims Unit (SVU), particularly for additional Deputies to make the Special Victims Unit a functional statewide unit. At the end of the fiscal year, the SVU received a Deputy position, which will be housed in Kent County. As a result, the SVU in New Castle and Kent Counties is handling all child abuse and sexual assault cases.

## ***3<sup>rd</sup> Prioritized Recommendation for CPAC***

The letter to the Joint Finance Committee also included several requests regarding DFS caseloads. CPAC urged that the DFS caseload analysis required under 29 Del. C. § 9015 occur this fiscal year, and that it occur on at least a quarterly basis this next fiscal year to ensure that caseloads do not exceed the statutory standards. CPAC also requested that the 30 positions recommended by the Governor to assist the hotline and the front lines of DFS be placed into the final budget. In addition, CPAC asked the Joint Finance Committee to consider both the starting salaries and lack of hazard pay, and that all entities continue to explore how to recruit and retain a committed workforce. Also in support of this recommendation, CPAC reconvened its Caseloads/Workloads Committee to conduct a Caseload/Workload Study with support from a local university. Thirty positions were subsequently provided to DFS in the FY19 State Budget.

## ***Additional & Ongoing Recommendations***

Another workgroup under the Training Committee, De-Escalation of Life Support for Children in the Custody of the Department of Services, has drafted a Protocol for De-Escalation of Life for Children, Youth, and their Families. This protocol will be reviewed and approved by CPAC in the next fiscal year. Planning is also underway for the county-based trainings for law enforcement agencies on conducting doll re-enactments in child abuse and neglect death and near death cases.

Lastly, DFS has made progress on many of its recommendations. For example, in May 2018, DFS provided ongoing booster training on safety assessments and safety planning to DFS staff to enhance understanding of the safety threats, interventions, and violations of safety plans. Supervisors also received training in October 2017; however, they continue to provide quarterly training at existing meetings for supervisors and managers on various supervisory and management topics. After identifying an evidence based curriculum, comprehensive child welfare supervisory training is scheduled to commence in FY19. CPAC plans to seek updates from its partner agencies on the status of the recommendations at its November 14, 2018 quarterly meeting.

# Committees

## The Data Utilization Committee

**Charge:** 1. To assess the voluminous data presented to CPAC on a quarterly basis, and determine: (a) if it is the right data and if it is relevant; (b) if there is other data needed to monitor the child protection system; and (c) if the data or analysis is outcome driven; 2. To develop dashboards for measuring Delaware’s child protection system which will be reported out to CPAC on a quarterly basis; and, 3. To use the dashboards to inform system improvement and CPAC initiatives.

**Membership:** The Committee is chaired by Rosalie Morales, Chief Policy Advisor at OCA. The membership includes representatives from the following agencies: CPAC, DFS, Family Court, and OCA and its Office of the Investigation Coordinator.

During FY18, the Data Utilization Committee met on a quarterly basis to prepare the data dashboards. The data is organized into eight dashboards: 1. Caseloads; 2. Processing of Child Abuse Cases; 3. Children in DSCYF Custody; 4. Permanency Outcomes; 5. Extended Jurisdiction; 6. Dual Status Youth; 7. Education Outcomes for Children in Foster Care; and 8. Re-Entry/Recurrence of Maltreatment. At each CPAC meeting, the Committee provided quarterly reports of the data and presented system-wide child welfare trends.

To support the collection and assessment of data by CPAC, the Family Court authorized the use of federal Court Improvement Program (CIP) funding to hire a contractual employee in August 2015. Since then, the CPAC Data Manager has been housed at the OCA, and supports the work of CPAC and CIP. Specifically, the Data Analyst is responsible for performing the following activities: staffing the Data Utilization Committee; planning and conducting varied statistical studies on relevant issues that impact child well-being outcomes; working with stakeholders to collect already existing data related to child welfare measures; analyzing, interpreting and identifying child welfare data trends; and ensuring that the data received and presented by CPAC is in a format that is useful in the development of informed, and evidence based, policy. To further this goal, the Data Analyst has been transitioning the dashboards to an online platform to create interactive dashboards, which will feature data over a longer period. CPAC hopes to transition to this online format in the next fiscal year. For now, the data dashboards continue to be presented in its original format and are highlighted over the next few pages.

Dashboard 1 summarizes the average caseloads of DFS investigation and treatment workers, reflecting the fundamental way in which caseloads impact the quality of service. Historically, caseload standards have been a critical data point that CPAC has monitored since its inception in 1997. As reflected in Figures 4 and 5, the statutory caseload standard is 11 for investigation workers, and 18 for treatment workers.

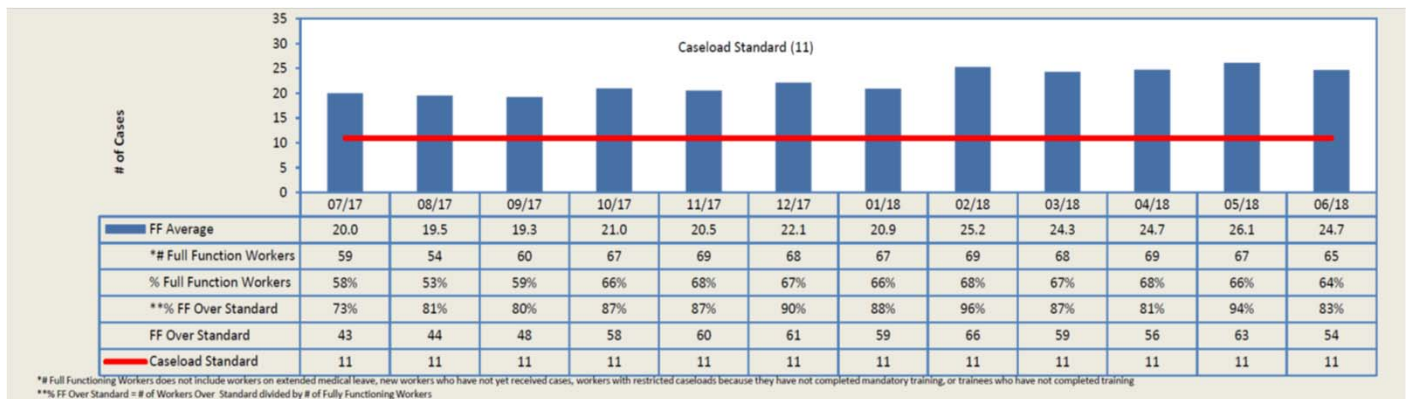


Figure 4. Statewide DFS Investigation Caseloads

# Committees

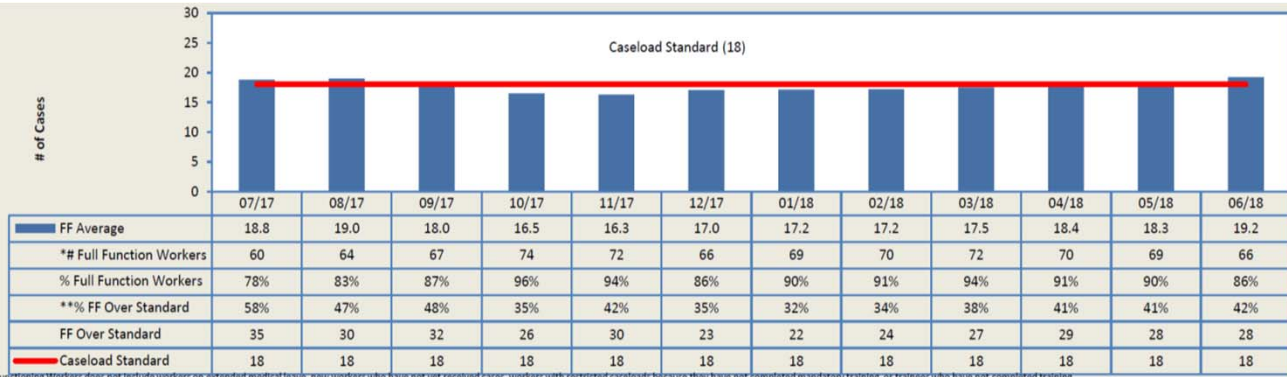


Figure 5. Statewide DFS Treatment Caseloads

Dashboard 2 contains reports on data collected from various child welfare agencies, including the agency’s involvement in intra-familial versus extra-familial reports of child abuse and neglect, and the outcome(s) in these cases. Dashboard 2 also presents the number of hotline reports received by the DFS Child Abuse and Neglect Report Line, together with (in addition to the number of reports received) the primary allegation type and case outcome. In addition, the dashboard

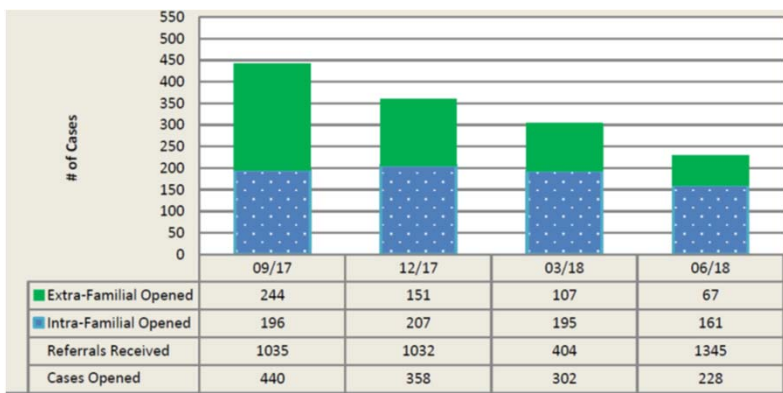


Figure 6. Investigation Coordinator Cases Opened During Quarter

features the number of cases opened and the civil and criminal case outcomes of cases closed by the Office of the Investigation Coordinator, which monitors and helps to coordinate all child death, near death, and sexual abuse cases to ensure a comprehensive, multidisciplinary civil and criminal system response. Thus, as shown in Figure 6, over the period April-June 2018, the Investigation Coordinator initiated tracking on 67 extra-familial cases and 161 intra-familial cases. To ensure that other child welfare agencies have knowledge of these complex cases, the Investigation Coordinator’s statistics are compared with data provided by the following agencies: the CAC (when a forensic interview or medical exam is needed); the Child Abuse and Neglect Panel, which is responsible for reviewing deaths and near deaths of children who are victims of abuse or neglect; and the DOJ Special Victims’ Unit, which is responsible for prosecuting child death and near death cases and all sexual abuse cases.

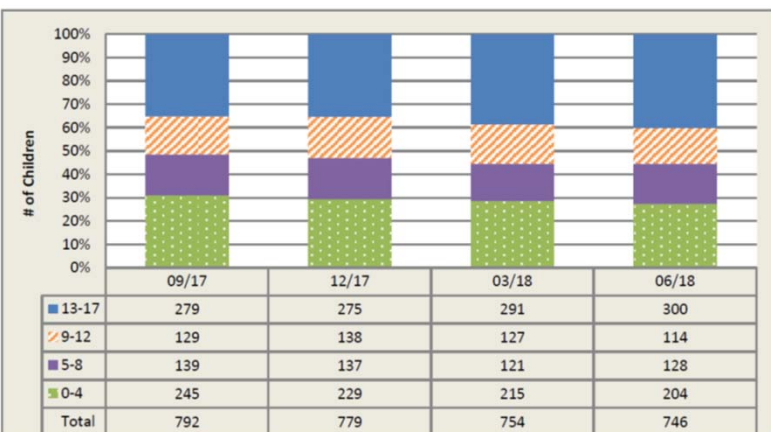


Figure 7. Ages of Children in DSCYF Custody at End of Quarter

Tracking court outcomes for all children in DSCYF custody is equally significant. Thus, Dashboard 3 includes profiles of children in DSCYF custody, the number of children represented by OCA, and the time it takes for a child to be represented. As shown in Figure 7, the number of children in foster care in Delaware has been decreasing gradually. Further, as of the end of the fourth quarter of FY18, youth ages 13-17, represent most of the children in custody at 40%. The next highest percentage of children in custody is the 0-4 age range at 27%.



# Committees

## The Education Committee

**Charge:** 1. To implement the MOU between the DSCYF and the Department of Education (DOE), its school districts, and its charter schools, which focuses on the movement of children in foster care in and out of schools and the sharing of information. In addition, a training curriculum around the MOU should be developed and available to all new persons as they come into the system; 2. To improve collaboration overall between the child welfare system and education, and ensure that it is available on an ongoing basis, including in a web-based format; and 3. To look at educational outcomes for children in foster care and explore ways to improve those outcomes.

**Membership:** The Committee is chaired by Susan Haberstroh, Director of School Support Services at DOE. Its membership includes representatives from the following agencies: Appoquinimink School District, Brandywine School District, CPAC, Children and Families First, DOE, DSCYF, DFS, DPBHS, Family Court, the Governor’s Advisory Council for Exceptional Children, OCA, the Parent Information Center of Delaware, the University of Delaware Positive Behavior Support Program and Woodbridge School District.

In FY18, the Education Committee met quarterly to accomplish the goals of its three workgroups: MOU, Data, and Nonacademic Training. The first workgroup under the Committee is responsible for revising and implementing the Memorandum of Understanding (MOU) between the DSCYF and the Department of Education (DOE). The MOU Workgroup began meeting again in January 2017 to make revisions to the existing MOU. The MOU has been finalized and was signed by all of the school districts, DOE and DSCYF. It is effective as of July 1, 2018.

The second workgroup, which is charged with advocating for successful educational strategies for children in foster care and with making recommendations for system improvement, is the Data Workgroup. The workgroup is working with the Department of Education to establish definitions for selected data that will be consistent year after year. The data workgroup has received some preliminary data, but is still working to ensure that the definitions and the data provided comport with the data sets to be reviewed. Significant data to be captured includes graduation rates, attendance discipline, and proficiency on state tests. These data points are captured in the CPAC dashboards under Education Outcomes for Children in Foster Care and presented to CPAC at its quarterly meetings. The dashboard features ten charts, which depict the aggregate data provided by DOE for the following school years: 2012, 2013, 2014, 2015 and 2016. Charts will be updated soon with the 2017-2018 school year.

The final workgroup is the Nonacademic Training group that was tasked with consolidating and streamlining nonacademic training requirements for educators as required by Senate Bill 102. It also delayed implementation of Erin’s Law for two years. As such, during FY18, the Workgroup was charged with identifying the personal body safety educational programming for children, grades pre-kindergarten to 6, on behalf of CPAC and DSCYF. The Committee approved 4 programs and established a plan to develop additional programming for school employees.





# Committees

One final task of the CPAC Education Committee is to oversee a Casey Family Programs grant to improve educational outcomes for youth in foster care, which transitioned from the Family Court and is now administered by OCA. CPAC approved a strategic plan in March 2016, which identifies two goals: to implement school programs and strategies that address the emotional and social needs of foster youth and create an optimal learning environment for at-risk youth, and to improve interagency cooperation and coordination of services to maximize student services and school stability for children in foster care. In the 2017-2018 school year, approximately 3,000 educators were trained on the Compassionate Schools curriculum. Through these trainings, educators learn how trauma impacts brain development, the importance of relationships with students, and strategies to foster safe learning environments.



Figure 8. Eliza Hirst, Esq., Jessica Begley and Teri Lawler presenting on Strategies to Build Resilience

The Casey Education Demonstration Project also developed a Compassionate Schools Learning Collaborative, which is comprised of schools all over the state with a focus on improving education outcomes and connections for at-risk students, including students experiencing foster care. The Learning Collaborative has also developed partnerships with the University of Delaware/Department of Education DE-Positive Behavior Supports (PBS) Project and Children and Families First to administer trainings and evidence-based strategies to help educators understand how to work with at-risk students. During the fiscal year, the Learning Collaborative met quarterly to share effective trauma-responsive practices to representatives from multiple schools across the state. The CPAC Education Committee also saw the movie *Resilience*, played the brain architecture game, and received training on trauma and toxic stress. Members of the Project have also presented at the Delaware State Education Association Annual Conference, the Trauma Informed Schools Conference in St. Louis, MO, the National At Risk Youth Conference, and the Delaware Superintendents Annual Retreat. In addition, staff at the Department of Education and students at the University of Delaware Graduate School of Education have received training. As a result of its training on trauma to educators and Delaware school superintendents, the Project has seen a continual decline in out-of-school suspensions for youth in foster care between 2015 and 2017. This data demonstrates that educators understand the impact of trauma on vulnerable populations, and the devastating impact that out-of-school suspensions can have on students in DSCYF custody and other systems involved youth.

## The Legislative Committee

**Charge:** To review proposed legislation related to child protection and make recommendations to the full Commission for action.

**Membership:** The Committee is led by Tania Culley, Esquire, Child Advocate. The membership includes representatives from the following agencies: DOJ, DFS, DSCYF, DVCC, Family Court, the Delaware House of Representatives, OCA and Office of Defense Services.

In FY18, the CPAC Legislative Committee met to review Senate Bills 209 and 210 which proposed to restructure and streamline the criminal code, including crimes against children. At the conclusion of FY18, the CPAC Legislative Committee had reviewed the changes to physical child abuse. The Committee was to

# Committees

review the changes to child sexual abuse and make a recommendation for action to the full Commission in August 2018. Lastly, House Bill 140, also known as Aiden's Law, was signed in June 2018. HB140, which was introduced in the prior fiscal year, codifies the State's duty to provide for infants with prenatal substance exposure.

## The Joint Committee on Substance-Exposed Infants/ Medically Fragile Children

**Charge:** To a) establish a definition of medically fragile child, inclusive of drug-exposed/addicted infants; b) draft a statute to mirror the definition as needed and consider adding language to the neglect statute; c) recommend universal drug screenings for infants in all birthing facilities in the state; d) review and revise the DFS Hospital High Risk Medical Discharge Protocol to include all drug-exposed and medically fragile children. It shall include: responding to drug-exposed infants and implementing the Plan of Safe Care per CAPTA; and, involving the MDT in ongoing communication and collaboration for medically fragile children; referring medically fragile children to evidence based home visiting programs prior to discharge; and, reviewing and including the Neonatal Abstinence Syndrome (NAS) Guidelines for Management developed by Delaware Healthy Mother & Infant Consortium's (DHMIC) Standards of Care Committee.

**Membership:** The Committee is led by co-chairs Allan De Jong, M.D., Medical Director of the Children at Risk CARE Program at Alfred I duPont Hospital for Children, and Jennifer Donahue, Esquire, Investigation Coordinator. The membership includes representatives from the following agencies: Bayhealth Medical Center, Beebe Healthcare, Brandywine Counseling & Community Services, CDRC, Child Development Watch, Children & Families First, Christiana Care Health Services, Connections, DHSS, DOJ, DFS, Division of Public Health, March of Dimes, Nanticoke Health Services and OCA.

The Joint Committee on Substance-Exposed Infants/Medically Fragile Children was created in FY15 in response to a number of recommendations that arose from the Joint CPAC/CDRC Retreat in January 2015. As a result, the charge of the Committee was to implement the recommendations from the CPAC/CDRC 2015 Action Plan, which included implementing universal drug screenings for infants in all birthing facilities in the state and revising the Hospital High Risk Medical Discharge Protocol. After CPAC/CDRC approved its 2016-2017 Action Plan, the Committee was further tasked with developing a template for the required Child Abuse Prevention and Treatment Act (CAPTA) plan of safe care and identifying the responsible agencies for initiating and monitoring the plan of safe care.

In FY18, the Committee continued to receive In-Depth Technical Assistance for Substance Exposed Infants (SEI-IDTA) through the National Center on Substance Abuse and Child Welfare (NCSACW). As part of the SEI-IDTA, representatives from the Committee participated in a Policy Academy along with 10 other states and developed a state action plan. The Committee successfully completed its Action Plan goals during the fiscal year and accomplished the following: implemented universal screening of pregnant women in all birthing facilities; established a system of care and educational resources for medical providers, birth hospitals, treatment providers and social service agencies; implemented a universal statewide protocol for the preparation and monitoring of Plans of Safe Care for infants with prenatal substance exposure and their affected families; and, maintained an awareness of the effects of stigma in discouraging women from treatment or prenatal care. The SEI-IDTA will be ending in FY19.



# Committees

In October 2017, the Committee supported the implementation by DFS of the Plan of Safe Care Pilot Program in two birthing hospitals in Sussex County. The Pilot Program was expanded in January 2018 to include Kent County hospitals. In early FY19, the New Castle County hospitals will implement the protocol, so it is expected that all 6 birthing hospitals will have implemented the Plan of Safe Care protocol as of August 2018. Thanks to the leadership at DFS, under the direction of Trenee Parker, Delaware is the first state to have statewide implementation in all birthing hospitals.

Presently, the Committee is monitoring the implementation of a federal Regional Partnership Grant award to increase the well-being of and to improve the permanency outcomes for children affected by substance abuse. It is a prenatal intervention model that will target pregnant women who are engaged in medication assisted treatment to provide wraparound, multidisciplinary services, including a home visiting nurse, peer recovery coach and parenting classes. Children and Families First is the lead agency for the grant, and the model of care is Delaware’s H.O.P.E. Model – “Healthy Outcomes with Parent Engagement.” The Committee also remains a steadfast partner with Director Parker and her DFS team, whose commitment of personnel, time and resources to improve services and resources for these infants and their families cannot be understated.

As mentioned previously, Governor Carney signed Aiden’s Law in June 2018. Aiden’s Law, which originated in the Joint Committee on Substance-Exposed Infants/Medically Fragile Children, formalizes a uniform, collaborative response protocol for the development of a Plan of Safe Care (POSC) for infants with prenatal substance exposure (IPSE) and their affected family or caregivers. A formal ceremony to celebrate the countless accomplishments of the entire Delaware team is planned for FY19. As a result of the work, the co-chair of the Committee, Jennifer Donahue, Esq., was honored by Children and Families First as the 2017 recipient of the Muriel E. Gilman Family Advocacy Award. The Family Advocacy Award is presented annually to an individual with a strong voice for children and families.



Figure 9. Children & Families First honor Jennifer Donahue, Esq.

## The Training Committee

**Charge:** To ensure the training needs of the child protection system are being met through ongoing, comprehensive, multidisciplinary training opportunities on child abuse or neglect.

**Membership:** The Committee is chaired by Rosalie Morales, Chief Policy Advisor at OCA. The membership includes representatives from the following agencies: CAC, CDRC, DOJ, DVCC, Family Court, Prevent Child Abuse Delaware (PCAD), and OCA and its Office of the Investigation Coordinator.

CPAC’s statewide training initiatives are monitored and evaluated by 7 workgroups under the Training Committee: Mandatory Reporting; Joint Conference; ChildFirst/MDT; Child Abuse and Neglect (CAN) Best Practices; Cross-Education; MDT Case Review; and De-Escalation of Life Support. The first workgroup under the Training Committee is responsible for providing oversight of the existing mandatory reporting training programs for educators, medical professionals, general community and professional audiences, law enforcement and the DOJ. With the assistance of the Training Coordinator, the Workgroup maintains the number of professionals trained, evaluates and revises the programs, and develops curricula for other disciplines as needed. In terms of coordination, the DSCYF Center for Professional Development has been responsible for coordinating the mandatory reporting trainings for general/professional audiences and school personnel. Generally, mandatory reporting training programs do not require the use of CJA grant funds unless onsite training is requested by medical professionals. In such cases, a medical expert is paid a nominal fee to co-present the training with DSCYF or OCA staff. Since the statutory obligations to complete



# Committees

the training are unique for law enforcement and the DOJ, the training programs are directly provided by law enforcement agencies or DOJ. Police officers are obligated to complete the training as a requirement of initial employment per 11 *Del. C. § 8404(a)*, and every Deputy Attorney General in the Criminal and Family Divisions is required to complete the training every three years per 29 *Del. C. § 2511(a)(3)*.

Since July 2017, DSYCF and OCA staff have provided onsite training to 339 professionals using the mandatory reporting training for general audiences, titled *How to Identify and Report Child Abuse and Neglect in Delaware*. Additionally, 435 participants completed the online training and survey through OCA’s online training system located at: <http://ocade.server.tracorp.com>

For school employees, the training requirements for the detection and reporting of child abuse changed as a result of Senate Bill 102, which was passed in August 2017. Under the new requirements, school employees are required to receive 3 hours of child abuse and child safety awareness, prevention, detection, and reporting every 3 years, and new employees must receive 1 hour within 30 days of employment. This legislation gives school districts and charter schools flexibility in meeting non-academic training needs such as this one. For this purpose, CPAC has partnered with DSCYF and members of the Mandatory Reporting Workgroup to update the school training. During the fiscal year, DSCYF and OCA staff have provided the onsite school training, *How to Identify and Report Child Abuse and Neglect in Delaware: School Training*, to 431 professionals. Additionally, approximately 7,515 teachers and other school staff completed the online training and survey. Each year, OCA staff partners with DOE to make the training available on DOE’s Blackboard course management system. DOE is responsible for providing the workgroup with the number of professionals trained, while CPAC maintains and collects the evaluation results through Survey Monkey. Another 294 professionals, mostly from private schools, completed the training on OCA’s online training system.

For initial employment and as part of the license renewal process, professionals covered under the Medical Practice Act and other healthcare providers are required to complete training on the recognition of child sexual abuse, physical abuse, exploitation, and domestic violence, as well as the reporting obligations under the Medical Practice Act and section 903 of Title 16. The next round of license renewals for physicians will occur in January 2019. However, 348 other healthcare providers completed the online training and survey through OCA’s online training system, and another 820 completed the training on Christiana Care’s training system.

The Child Protection Accountability Commission Presents...

**PROTECTING DELAWARE’S CHILDREN:**  
A MULTIDISCIPLINARY CONFERENCE FOR CHILD WELFARE PROFESSIONALS



- ❖ Free Registration for Delaware Professionals
- ❖ Registration will be available in February 2019 at: <https://courts.delaware.gov/childadvocate/>

**SAVE THE DATE - APRIL 2, 2019** Dover Downs Hotel & Casino  
*Funded by the Federal Court Improvement Project & U.S. Department of Health and Human Services*

Figure 10. Protecting Delaware’s Children Conference – Save the Date

In addition to training professionals about identification and reporting of child abuse, CPAC has continued to focus on providing ongoing comprehensive training to those who investigate, prosecute or otherwise respond to reports of child sexual abuse, death and near death cases. The second workgroup under the Training Committee is responsible for planning and organizing the Protecting Delaware’s Children conference. The biennial conference, which is geared towards law enforcement officers, prosecutors, DFS case workers and other professionals who regularly respond to allegations of child abuse and neglect in Delaware, is scheduled for April 2, 2019. A Save the Date was recently disseminated to MDT partners.



# Committees



Figure 11. Sex Offenders: Responding to Crimes Against Children Workshop

Similarly, the ChildFirst/MDT Workgroup facilitated two training sessions for the MDT in FY18. The first training opportunity, the Delaware Multidisciplinary Team Course and CornerHouse On-Site Basic Forensic Interview Training, was held on December 11-15, 2017. Thirty-four professionals from statewide law enforcement agencies, DFS, and DOJ participated in the MDT Course on the first day. It featured a discussion about the MDT approach in Delaware and the revised MOU for the MDT Response to Child Abuse and Neglect; the medical aspects in child physical and sexual abuse cases; and corroborating evidence in child abuse cases. Then, Julie Stauffer, a Forensic Interviewer at CornerHouse, provided the 3.5 day forensic interview training to 25 participants. The second training session occurred on May 2, 2018. A full day workshop titled, Sex Offenders: Responding to

Crimes Against Children, was provided by Cory Jewell Jensen, a consultant who spent 35 years evaluating and providing treatment services to adult sex offenders. Eighty-six participants from the following agencies were in attendance: CAC, DOJ, DFS, Division of Prevention & Behavioral Health Services, Division of Youth Rehabilitative Services, OCA, statewide law enforcement jurisdictions, and other community providers.

CAN Best Practices, the fourth workgroup under the Training Committee, was responsible for revising the MOU for the Multidisciplinary Response to Child Abuse and Neglect. The MOU was approved by CPAC in FY17, and training was provided during this fiscal year. Cpl. Adrienne Owen from the Delaware State Police, Diane Klecan from the Children’s Advocacy Center, and Rosalie Morales from the Office of the Child Advocate conducted three Train-the-Trainer sessions on the MOU. The sessions were held on November 9, 2017 in New Castle County, December 4, 2017 in Kent County and December 6, 2017 in Sussex County. The trainings were attended by a total of 40 representatives from the following agencies: the Division of Family Services, Office of the Investigation Coordinator, statewide law enforcement agencies, the DOJ Special Victims Unit, CAC, and the medical community. In addition, the MOU mobile application had 250 active users accessing the best practice protocols in the field. The group plans to reconvene in FY19 to address the Joint Action Plan recommendations.

During the fiscal year, the Cross-Education Workgroup received two presentations developed by the Domestic Violence Coordinating Council: Stalking by Intimate Partners and Domestic Violence 101.

Both presentations are in the process of being formatted and designed for web-based training. In FY19, the trainings will be made available on OCA’s online training system. As content is identified by the group, OCA’s Training Specialist will continue to develop web-based trainings for the purpose of providing cross education on the roles and responsibilities of individual agencies and programs.

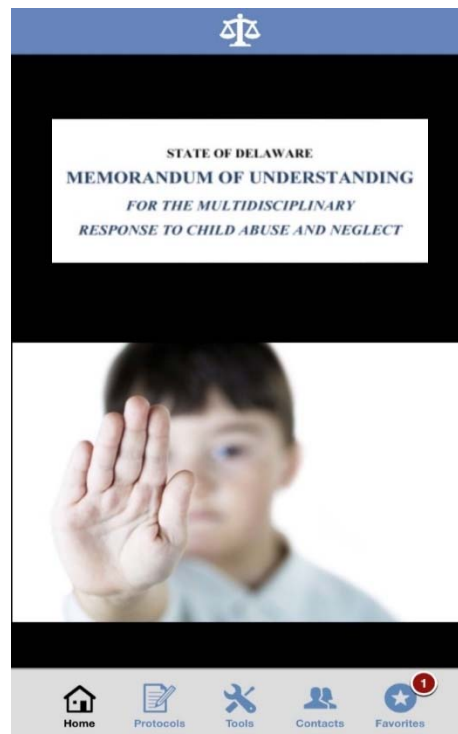


Figure 12. MOU Mobile Application

# Committees

In May 2017, CPAC approved the creation of the MDT Case Review Workgroup to revise the current MDT case review protocol, as well as to expand the protocol to encompass serious physical injury and child death cases. During the fiscal year, the Workgroup completed its revisions to the protocol, which were approved by CPAC in May 2018. The group plans to reconvene in FY19 evaluate the implementation of the new protocol.

The Training Committee's last workgroup, De-Escalation of Life Support, was established in September 2016 as a result of a recommendation in the 2016-2017 Joint Action Plan. At the end of the fiscal year, the group satisfied its charge of developing a MDT protocol for the removal of life support cases. CPAC plans to review and approve the Final Report and Protocol for De-escalation of Life Support for Children in the Custody of the DSCYF in August 2019.

Lastly, the Training Committee continued to provide oversight for the Protecting Delaware's Children Fund. The fund was established by CPAC to garner revenue to support ongoing child abuse prevention and awareness activities within the state. In FY18, CPAC received approval to accept web-based payments on the OCA website: <https://courts.delaware.gov/childadvocate/professionals/pdcfund.aspx>. As a result, there are now three ways to donate to the fund: license plate sales, personal income tax contributions, and web-based payments. In prior years, funds have been used to support the Protecting Delaware's Children Conference and community giveaways with the Stop Child Abuse logo along with the annual campaign for Child Abuse Prevention Month.

In April 2018, CPAC again partnered with multiple agencies to develop the annual campaign for Child Abuse Prevention Month, and \$10,000 from the Protecting Delaware's Children fund was contributed. Nine billboards were featured through Clear Channel – 1 in Wilmington, 2 in Sussex, 6 in New Castle and Kent Counties. As shown in Figure 11, the billboards all displayed our Hero logo. Additionally, WJBR hosted a digital marketing campaign through social media, mobile ads and public service announcements. The campaign helped to raise awareness about Delaware's statutory, child abuse mandatory reporting obligations and the availability of the Stop Child Abuse License Plate.



Figure 13. Hero Logo

# Children's Justice Act Task Force

The Child Abuse Prevention and Treatment Act (CAPTA) requires that states establish both a multidisciplinary Citizen Review Panel (CRP) and a Children's Justice Act (CJA) Task Force. In Delaware, CPAC serves as the federally mandated Citizen Review Panel and CJA State Task Force. Further information about each will be provided over the next few pages.

## **The Children's Justice Act Task Force**

**Background:** The Children's Justice and Assistance Act of 1986 was a set of amendments to CAPTA, which were enacted to encourage states to adopt reforms to improve the legal and administrative handling of child abuse cases, particularly cases of child sexual abuse. The CJA amended the Victims of Crimes Act of 1984 to add to the funding available under the Crime Victim's Fund and required that specified portions of such funds be used for CJA Grants to states. CPAC became the CJA Task Force in Fiscal Year 2008.

**Statutory Requirements:** The CJA provides grants to states to improve the investigation, prosecution and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation. This also includes the handling of child fatality cases in which child abuse or neglect is suspected, along with some cases of children with disabilities and serious health problems who also are victims of abuse and neglect. To be eligible for CJA funds, states are required to establish and maintain a multidisciplinary task force (the Task Force). The Task Force is responsible for making policy and training recommendations to carry out the objectives of the grant, for conducting a comprehensive evaluation every three years of the state's child welfare system, and for making recommendations for improvement of those systems.

## **CPAC's CJA Task Force Accomplishments in Fiscal Year 2018**

- The Training Coordinator (a position funded under the CJA) staffed the Training and Abuse Intervention Committees; facilitated a Train-the-Trainer session for approximately 10 trainers on the revised curriculum for the mandatory reporting trainings in August 2017; facilitated 27% of the in-person mandatory reporting trainings for educators and 12% of the in-person mandatory reporting trainings for general community and professional audiences during the 12-month period; and, provided administrative support for the two MDT training sessions.
- Over 10,100 educators, healthcare providers and members of the public were trained on their mandatory reporting obligations.
- Facilitated two training sessions to the MDT: the Delaware Multidisciplinary Team Course and CornerHouse On-Site Basic Forensic Interview Training in December 2017 and the Sex Offenders: Responding to Crimes Against Children Training in May 2018.
- Awarded scholarships to 9 MDT members attending the 29<sup>th</sup> Crimes Against Children Conference from August 7-10, 2017; 34<sup>th</sup> International Symposium on Child Abuse from March 20-22, 2018; and the 2018 National Child Death Review Meeting on May 7-10, 2018.
- Provided Train-the-Trainer sessions on the Memorandum of Understanding for the Multidisciplinary Response to Child Abuse and Neglect.
- CAN Panel, with oversight from the CAN Steering Committee, conducted retrospective reviews on 51 death and near death cases of abused and neglected children, which resulted in 161 strengths and 233 findings across six system areas.
- Joint Committee on Substance-Exposed Infants/Medically Fragile Children supported the implementation of the Plan of Safe Care Pilot Program in birthing hospitals across the state.

## **Reports**

The CJA Annual Progress Report & Grant Application is available at:

[https://courts.delaware.gov/childadvocate/cpac/cja\\_taskforce.aspx](https://courts.delaware.gov/childadvocate/cpac/cja_taskforce.aspx).



# Citizen Review Panel

## Citizen Review Panel

**Background:** In 1996, Congress amended CAPTA and required states that receive grants for Child Abuse and Neglect Prevention and Treatment Programs to establish Citizen Review Panels (CRP) by July of 1999 in order to continue receiving funding. The amendments allowed states to designate one or more existing entities established under State or Federal law, such as child fatality panels. From 1995 through 2004, CDRC served as Delaware’s CRP. Then, in 2004, CPAC was designated as the CRP. DSCYF’s 2018 Annual Progress and Services Report, which designates CPAC as the CRP, is available at: [https://kids.delaware.gov/pdfs\\_archive/fs/fs-cfsp-apsr-2018.pdf](https://kids.delaware.gov/pdfs_archive/fs/fs-cfsp-apsr-2018.pdf).

**Statutory Requirements:** Although CAPTA defines the functions of the CRP broadly and generally, it requires panels to meet at least quarterly and to maintain confidentiality. More importantly, the purpose of CRPs is to evaluate the child protection agency’s performance in four key areas: the state CAPTA Plan; coordination with Title IV-E foster care and adoption programs; review of child fatalities and near fatalities, and; to require responses to the recommendations from those reviews. CAPTA also mandates that CRPs examine the policies, procedures and practices of the child protection agencies and gives panels the authority to examine specific cases, where appropriate.

## **CPAC’s CRP Accomplishments in Fiscal Year 2018**

- DFS held an annual stakeholder meeting on March 26, 2018 to present program accomplishments and priorities, review performance measures and gather stakeholder input to inform the coming year’s strategic planning. DFS aligns the Child and Family Service Review (CFSR) Program Improvement Plan (PIP) with the CFSP. Fifty-one stakeholders from the child welfare community attended. The agenda included a review of the agency’s mission and vision, guiding principles, contextual data, population statistics and performance measures. The group provided input on child welfare strengths and areas of concern. Comments and suggested edits to the CFSP-2019 edition were accepted until April 27, 2018. In addition, agency and community partners were asked to submit an annual report for the APSR detailing their agency’s accomplishments and priorities. The Chief Policy Advisor/CJA Coordinator submitted a report on behalf of CPAC/OCA and all of its program areas, including CASA, the Child Abuse and Neglect Panel, and the Office of the Investigation Coordinator.
- CAN Panel, with oversight from the CAN Steering Committee, conducted retrospective reviews on 51 death and near death cases of abused and neglected children, which resulted in 161 strengths and 233 findings across six system areas.
- Delaware was selected to present two workshops at the May 2018 National Child Death Review Conference titled *the Delaware CDR & CRP Collaboration* and *Effectuating Policy Change from Fatality Reviews*. Tania Culley, Esq., Anne Pedrick and Rosalie Morales were involved in the presentations. In addition, a workshop was presented at the June 2018 National Citizen Review Panel Conference titled *Developing Best Practice Protocols for the MDT Response to Child Abuse Cases*. Rosalie Morales and Colleen Woodall, Program Manager - Intake & Investigation at the Division of Family Services presented on the topic.

## **Reports**

This report serves as the Annual Report for Delaware’s Citizen Review Panel. Findings and recommendations stemming from the review of child abuse and neglect death and near death cases are available at the following link: [https://courts.delaware.gov/childadvocate/cpac/cpac\\_reports.aspx](https://courts.delaware.gov/childadvocate/cpac/cpac_reports.aspx). The State responds to these reviews through its participation in an annual meeting between CPAC and CDRC, which discusses the findings and recommendations resulting from the reviews of child abuse and neglect death and near death cases. As such, the State contributes to the action plan developed to address the priority areas for the upcoming year.

# Opportunities for the Future

In Fiscal Year 2018, CPAC accomplished much as both a federally mandated CRP and CJA State Task Force. As the CRP, the CAN Steering Committee provided oversight for the CAN Panel reviews and made several system-wide findings and strengths to the Governor, General Assembly and Public. In addition, CPAC began to monitor the 2018-2019 Joint Action Plan and the 5 prioritized recommendations for system improvement, along with 7 additional recommendations and 10 ongoing recommendations from the prior annual meeting. CPAC will continue to monitor these recommendations in FY19.

In its State Task Force role, CPAC submitted its CJA Annual Progress Report and Grant Application and Three Year Assessment Report to the Administration on Children, Youth and Families in May 2018. The report provided an update on the prior's years performance and established the state's priorities for the next three-year period using the Joint Action Plan. With these goals established, the Abuse Intervention Committee will continue to meet twice a year to provide oversight of these activities. In addition, to remain eligible for CJA grant funds, CPAC will submit an Annual Progress Report and Grant Application in May 2019.

At the same time, the Training Committee, with the support of its workgroups and the Training Specialist, will carry out the training initiatives identified in the federal grant application, including planning the Protecting Delaware's Children Conference. Training will also be provided on the de-escalation of life support protocol. The CAN Best Practices Workgroup will reconvene in FY19 to address the Joint Action Plan recommendations, and the MDT Case Review Workgroup will be evaluating the implementation of its new protocol.

The Joint Committee on Substance-Exposed Infants/Medically Fragile Children will continue to assist in the development of plans of safe care for SEIs and their families and to monitor the Regional Partnership Grant awarded to Children and Families First.

The remaining CPAC Committees have identified future goals of their own. In Fiscal Year 2019, the Data Utilization Committee plans to transition to an online data dashboards to present the system-wide child welfare trends over a longer time period. Meanwhile, the Education Committee, in partnership and support from Casey Family Programs, will continue to make progress with its strategic plan to support the educational success of children in foster care and to provide additional resources to child welfare and educational professionals.



Over the next year, CPAC, through its various committees, will prioritize these goals while maintaining its commitment to current initiatives. CPAC will also continue its collaborative affiliation with CDRC by meeting annually to monitor and implement findings or recommendations from the state's child death and near death reviews. Finally, CPAC will strive to foster the collaborative relationships between its child welfare partners to ensure safety, well-being and permanency for all children in Delaware's child protection system.

# CPAC Staff

**Executive Director**  
*16 Del. C. § 931(c)*

**Tania M. Culley, Esquire**  
Child Advocate

**CPAC Staff**  
*16 Del. C. § 931(c)*

**Jessica Begley**  
Training Coordinator

**Angela Birney**  
Child Abuse & Neglect Review Specialist

**Rosalie Morales, MS**  
Chief Policy Advisor

**Stephanie Scollo**  
Office Manager

**Brittany Willard**  
Data Manager



**CHILD PROTECTION ACCOUNTABILITY COMMISSION**

**C/O OFFICE OF THE CHILD ADVOCATE**

**900 King Street, Suite 350**

**Wilmington, Delaware 19801**

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